IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 23570 of 2004

Between:

Smt.Katuka Vijayalashmi, W/o.AnandaRao,
R/o.Gunupudi Garuvupet, Bhimavaram, West Godavari District.

..... PETITIONER

AND

1 The State of A.P.rep.by its Secretary, Endowments Dept., Govt. of A.P. Hyderabad.
2 The Dy.Commissioner (Endowments), Kakinada, East Godavari District.
3 The Asst. Commissioner (Endowments) Eluru, West Godavari District.
4 The Executive officer, Sri.Someswaraswamy and Janardhana Swamy Temple,

Gunupudi, Bhimavaram,
West Godavari District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ order or direction be issued declaring sec.3 of A.P. Tenancy Laws (Amendment) Act 2003 and sec. 75 of A.P.Act XXX of 1987 and the rules framed in G.O.Ms.No.379 dated 11-03-2003 under sec. 82 of the Act as unconstitutional and hold that the proposal to evict the petitioner from the lands held by the petitioner belonging to the 4th respondent as illegal in the interest of justice and fair play.

Counsel for the Petitioner: MR.I.RAMAKRISHNA RAO

Counsel for the Respondent Nos.1 to 3: GP FOR ENDOWMENTS

Counsel for the Respondent No.4: Smt. N. Indrani

The Court made the following Oral Order: (per Sri Devinder Gupta,CJ)

No order passed by the Authority is under challenge in this petition, except, challenging the provisions of the A.P. Charitable and Hindu Religious Institutions & Endowments Act, 1987 (A.P. Act No.30 of 1987). Petition as such is not maintainable.

The writ petition is accordingly dismissed. No costs.

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DEVINDER GUPTA, CJ

Date: 31st December, 2004

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M. NARAYANA REDDY,J

Pnb

To

1 The Secretary, State of A.P., Endowments Dept., Govt. of A.P.

Hyderabad.
2 The Dy.Commissioner (Endowments), Kakinada, East Godavari District.
3 The Asst. Commissioner (Endowments) Eluru, West Godavari District.
4 The Executive officer, Sri Someswaraswamy and Janardhana Swamy

Temple, Gunupudi, Bhimavaram, West Godavari District.

5 Two C.Cs. to the G.P. for Endowments, High Court Buildings,

Hyderabad. (OUT)

6 Two C.D. copies